Committee of Inquiry into Emission Measurements in the Automotive Sector

Thursday, 24 November 2016

* * *

Hearing of Ms Ségolène Royal

Minister for the Environment, Energy and the Sea,
responsible for international climate relations
France
THURSDAY, 24 NOVEMBER 2016

IN THE CHAIR: KATHLEEN VAN BREMPT

(The meeting opened at 10.50)

Chair. – Colleagues, I think the Minister is arriving so I would like to open our committee hearing of today by making the announcements, and the first one is that Mr Pablo Zalba was appointed last week as President of the Instituto de Crédito Oficial in Spain, so he is leaving us. On behalf of us all, I think I can send him our congratulations. The EPP co-rapporteur appointed by the coordinators is Mr Jens Gieseke. Congratulations and I wish you very good work.

I suppose we can move immediately now to our hearing. We have one hour and ten minutes. The first round is the political round of five minutes.

Chair. – I should like to extend a warm welcome to Ms Royal. I am pleased to say that we have finally made it to this point, if only for an hour. I think we ought to start straight away, so the floor is yours, Ms Royal. Your introduction should not exceed 10 minutes, since we will need the remaining 60 for questions.

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – Madam Chair, honourable Members, I should first like to apologise for my late arrival. I should like to take this opportunity to thank the European Parliament once again for voting in favour of the Paris Agreement on 4 October 2016, which paved the way for its entry into force. As I speak, 113 countries, 17 of them European, have ratified the agreement, so there is still work to be done and more countries will doubtless be added to the list. The agreement now covers three quarters of global emissions.

That brings me straight to the matter at hand: what are the current challenges surrounding air pollution, vehicle standards and the crucial issue of public health?

Yesterday, the European Environment Agency reported that air pollution, which damages the health of 85% of European city dwellers, causes nearly 500,000 premature deaths in Europe every year.

The 2015 French Energy Transition Act, which incorporates a low-carbon strategy, also published independently, provides for multi-annual energy programming, a clean mobility strategy, energy initiatives and a proactive air pollution reduction policy.

The steps I have taken, which I would like to outline for you here today, rested on three key principles: the principle of reactivity, the principle of transparency and the principle of authority.

In September 2015, the US Environmental Protection Agency (EPA) revealed that Volkswagen had been falsifying emissions test results.

One week later, I convened a meeting between French manufacturers and representatives of import firms. We tested 86 vehicles, representing 24 brands. I wasted no time in launching an extensive operation to monitor NOx and CO2 emissions from diesel cars on French roads, eight days after the Volkswagen scandal broke. My aim was twofold: first, to determine
whether the engines were polluting more than previously thought and, second, to establish whether there was any defeat software.

To do so, I implemented a new test protocol, both in the laboratory and on the road, to detect the presence of any defeat software and to measure pollution performance on the road, under real driving conditions. To do so, I earmarked EUR 3 million for investment in techniques and equipment for vehicle testing, test benches and the portable emissions measurement system (PEMS).

The test laboratory has been set up in Montlhéry, enabling us to use the old race track for tests under real driving conditions. I went to the site in person to kickstart the work and participated in vehicle testing on the track. We presented the test protocol to the Commission’s Joint Research Centre (JRC), which praised its performance.

The Germans and the British also set up their own test protocols during the same period. They came to us to find out how we had gone about it. We compared methods and results through a number of useful exchanges.

However, I am the only minister to have fully incorporated the transparency principle right from the start. Strong leadership was therefore required, since the committee I have set up is transparent, independent and open to the press, which therefore has access to all test results.

We also ensured that all our tests were fair and proportionate to market share, which explains why half the vehicles tested were French.

Manufacturers summoned before the committee and attended.

This open and independent committee, which I personally set up, comprises members of both houses of the French Parliament, environmental NGOs (France Nature Environment and the Climate Action Network), consumer rights associations, French market regulators, the French Directorate-General for Competition Policy, Consumer Affairs and Fraud Control (DGCCRF) and technical experts, not least from the French Environment and Energy Management Agency (ADEME), the French National Agency for Information System Security (ANSSI), the French Institute for Research into Computer Science and Automation (INRIA), and the French Institute for Environmental Technology and Hazards (INEIR).

I received the independent committee’s report at the end of July 2016, which was published, as promised, including on my ministry’s website. The report is exhaustive and sets out the results of the NO₂ and CO₂ tests for the 86 vehicles tested. The data in the report are widely published and available, and are already being put to use by some associations, such as the Transport and Environment Association (ATE).

What have we gleaned from the tests? They show that vehicles are significantly exceeding emissions limits under real driving conditions. The emissions control systems used by a number of manufacturers are working neither effectively nor consistently. That is why I have requested that the French Institute of Petroleum – New Energies (IFP-EN) conduct further investigations, with a view to better understanding problems associated with treatment devices. New in-depth results pertaining to seven different vehicles (three Volkswagen vehicles, two Renault, one Fiat and one PSA) will be available from December, and three further analyses are to be launched at the beginning of 2017. The results of those additional investigations will be made public.
Manufacturers were brought before the committee and questioned about the anomalies; I asked them to present their action plans for correcting the disparities between results obtained in the laboratory and those obtained under real driving conditions, which can be up to 10 times higher. Renault announced that it would be taking remedial measures as of this year.

In view of the results of these tests, the French market regulator and the DGCCRF have also launched investigations to complement work carried out by the independent committee.

Current and future instructions may lead to legal proceedings, where applicable.

Two cases, on Volkswagen and Renault, have already been referred to the judiciary. It is now up to them to decide how to respond to the alleged misconduct.

If I am not mistaken, no other European country has carried out such thorough tests and investigations into national manufacturers.

In addition to those measures, I have taken a raft of steps to promote the development of environmentally friendly vehicles in France.

First, I have introduced a EUR 10 000 incentive to encourage those who own a diesel car more than 10 years old to buy an electric vehicle (there are currently more than 100 000 on French roads). I will also be introducing a EUR 1 000 incentive for those wanting to buy a two- or three-wheeled electric vehicle, as part of the draft finance bill to be put to the vote within my ministry in 2017. Likewise, the finance bill will also increase the base depreciation value for electric company cars from EUR 18 300 to EUR 30 000.

What is more, I have decided to speed up the development of vehicle recharging infrastructure, with a view to reaching a total of 1 million electric vehicle charging stations by 2020, through a combination of energy transition tax credits, which subsidise 30% of the cost to install private charging stations; a new call for proposals relating to vehicle recharging infrastructure, as part of the future investments programme; EUR 15 million in additional funding, on top of the EUR 63 million already allocated; and energy efficiency certificates, which will support the installation of 12 000 charging stations in public areas, businesses and communities.

We have also introduced a green taxation policy, bringing diesel/petrol tax policies more in line with each other and reducing disparities between the two. Each centime transferred represents a transfer of EUR 250 million; those are difficult decisions to make. Second, we have brought petrol and diesel more in line as regards VAT reimbursements for company cars: this disparity used to account for 10% of the fuel price.

We will be supporting innovation through future investments in demonstrator projects in the field of new technologies, including electric drivetrains, but also in transporting goods and people by road, rail, sea and river. The new generation of public transport, cable transport, is on the rise, and I have just inaugurated France’s first urban cable transport network, in Brest. Eight other French cities will be receiving financial assistance to help them set up their own urban cable transport networks.

The authorities are setting an example, since the law that I steered through the French Parliament stipulates that 50% of the public vehicles replaced must be exchanged for zero-pollution vehicles.

As I am sure you will be aware, in my capacity as COP21 President, I worked to develop a clean transport coalition, which was established at COP21 and deployed at COP22. As part of
the coalition, countries such as Canada, China, Japan, Norway, Sweden, the UK and the US have committed to ensuring that public and local government fleets are made up of environmentally friendly vehicles.

I should like to conclude with a brief discussion of the next steps required at European level to speed up the implementation of vehicle pollution standards. Here, I would simply say that I have asked the Commission to ensure that discrepancies between laboratory tests and those carried out under real driving conditions are no longer tolerated, except where resulting from technical uncertainties. We need to ensure that EU legislation moves us towards greater transparency and ambition.

In October 2015, one month after the Volkswagen scandal broke, the Commission, as I am sure you are aware, proposed an unacceptable technical compromise, involving excessively high compliance coefficients. On 30 October, I challenged the decision and called for it to be addressed at ministerial level. Unfortunately, the European Parliament did not use its right to object and a majority of MEPs did not oppose this bad decision. The debate continues. The triilogue needs to take steps to review the coefficient as soon as possible.

The same debate is currently underway with regard to particles. I would like to see an ambitious compliance coefficient and to ensure that current manufacturer deadlines are maintained and not extended as they have requested. I also, of course, see no harm in ensuring that MEPs are on the offensive within the triilogue and extra-vigilant when decisions are proposed to them.

I, for one, will continue campaigning to ensure that all decisions are taken at ministerial level.
had to go to see them this morning so that I could at least stay in touch. I actually wanted to use a flexible mode of transport so that I would not be delayed again. However, it was a poor judgement call on my part, I admit. Nevertheless, as I have just said, while I am here before you, 300 members of the French Parliament are waiting for me to answer their questions on COP21 and COP22. I asked a junior minister to represent me, but you insisted that I attend in person. I therefore used a flexible mode of transport. There is your explanation.

As far as diesel is concerned, I believe I have already spoken extensively on the subject. Nonetheless, I think we need to move towards cleaner transport and fuels. We need to commit to the energy transition to ensure that diesel becomes a thing of the past as soon as possible. My position on this matter is extremely clear. At any rate, that is the approach I have taken in France, as demonstrated by my decision to neutralise the tax advantages traditionally enjoyed by diesel, which has always been the fuel of choice in French farming, not least tractors. Diesel has traditionally enjoyed tax advantages. Cars then began using diesel, which carried tax advantages for farmers. There you have a brief history of diesel in France and that is why it has always been so popular. The transition process is therefore difficult, because transitions of this kind are always difficult in the industrial sphere. The transition is well underway, however. At any rate, the process will hopefully be sped up by the increase in electric vehicle power, lower electric transportation costs, new charging stations and improved technology in this area.

Jens Gieseke (PPE). – Very good, thank you. What do you think of current initiatives, for example in Paris and other cities, to ban diesel from city centres? What does it mean for drivers of old diesel vehicles? You talked about an incentive system, namely tax benefits, which should be done away with. But what happens to people with reduced mobility who are no longer allowed to drive diesel vehicles into the inner city? Will they be compensated in any way?

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – No, they are not compensated, but they are encouraged. I am not in favour of punishments or punitive environmental action. What we need is positive environmental action.

As I said just a few moments ago, that is why we have introduced a EUR 10 000 incentive for those wanting to swap their old diesel car for an electric vehicle. The law that I steered through the French Parliament requires restricted traffic flow zones in cities. To prevent the risks of pollution, either we see it as a public health epidemic that causes 500 000 premature deaths per year in the European Union, or we say that nothing needs to be done and carry on as normal. I, for one, think we need to take action. That is why I have introduced ‘air quality’ certificates.

What are ‘air quality’ certificates? They will give mayors the power to set up restricted traffic zones in cities and to restrict traffic when pollution spikes. Rather than restricting traffic flow on the basis of vehicle number plates, which meant that drivers were permitted to drive high-polluting cars simply because their plates began with an odd or even number, mayors will now be able to put restrictions on the most polluting vehicles solely on the basis of that criterion.

You do have a point in that the least well-off individuals, who own the oldest cars and do not have the means to replace them, are often hit hardest. That is why we have introduced this incentive to replace the least environmentally friendly vehicles. That is also the reason why manufacturers are taking steps to cut the cost of clean vehicles.
Gerben-Jan Gerbrandy (ALDE). – Welcome, Ms Royal.

Madam Chair, apparently it is difficult not only for us to find and reach Strasbourg but even for a French Minister!

My question is very straightforward and brief. From the minutes of the Technical Committee on Motor Vehicles (TCMV), we have seen that France has been one of the leading countries in trying to delay and water down the RDE process. Nevertheless, Minister, you were very vocal after the decision was taken on 28 October, and you totally denied the role that the French representatives had played in the TCMV. Can you explain that difference please?

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – The decision taken by the Technical Committee on Motor Vehicles (TCMV)? Yes, of course I can explain it.

As I explained a moment ago, I believe that the Commission, at the level of the TCMV, made an extremely poor decision. I also think such issues should be discussed with ministers, who have a political responsibility, because those kinds of decision are very difficult to make.

Gerben-Jan Gerbrandy (ALDE). – Apologies for interrupting, but it was primarily due to the role of the French civil servants that this decision was taken. France, together with especially Italy and Spain, has delayed and watered down the RDE process for years and years. We have seen that in the minutes of the Technical Committee on Motor Vehicles, but still you are heavily criticising that. Can you explain the role that the French civil servants played in the Technical Committee on Motor Vehicles?

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – I did not instruct those French civil servants to speak before the TCMV. That is why I straightened out our approach. That is also why I have asked for this to be handled at ministerial level at the moment.

If you want to go down that road, however, a great many issues – excuse me – at the level of the Commission and the EU institutions would benefit from more order and transparency and less lobbying, not least as regards environmental protection and pollution.

We could address the issue of neonicotinoids, for example, or endocrine disruptors. Real battles must be fought to ensure the transparency of decisions taken on those issues and to take decisions out of the Commission’s hands...

Gerben-Jan Gerbrandy (ALDE). – Let us focus on this topic, because you are also responsible for what French civil servants are doing in the technical committees. Let me quote from the French parliamentary investigative report, on page 123:

Laurent Michel, Director-General for Energy and Climate Change, said ‘those were the instructions’.

I think he is sitting next to you. So, apparently, they were instructions from above – that is, political instructions.

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – Wait a moment, read it. Read what he said.
Gerben-Jan Gerbrandy (ALDE). – Mr Michel said ‘those were the instructions’.

And he is talking about what the French civil servants were doing in the Technical Committee on Motor Vehicles.

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – That is right, but it was before me. Those were the instructions before I was in office. Once I had come into office, the instructions changed. It will not have escaped you that French environmental policy has changed since I came into office. Yes, that does happen. The important thing is that the politicians reassert themselves and that instructions change when they need to change.

I simply cannot let you say that France is lagging behind on emissions controls, because I have just demonstrated the opposite. I am the only environment minister in the entire European Union to have set up an independent committee only eight days after the scandal broke, redesigned the vehicle testing protocol, got into a car on the Montlhéry track myself to check that everything was working correctly, and opened the committee up to NGOs and members of parliament. I am the only one. No other EU country has done that. There is also blind vehicle testing ... Wait!

Gerben-Jan Gerbrandy (ALDE). – What you are saying is important, but we only have five minutes together.

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – OK, but I cannot allow you to tell untruths. I am the only one to have personally carried out checks, including on French vehicles. Do you know how we checked them? I even went as far as to check how the vehicles ... (Mr Gerbrandy interrupted the speaker) How were the vehicles chosen? We certainly did not leave the decision to the manufacturers. We hired vehicles at random. What is more, I even checked to ensure that it was not the manufacturers that had supplied the vehicles to be checked.

Gerben-Jan Gerbrandy (ALDE). – In the Technical Committee on Motor Vehicles, on 24 November 2014 – you were already Minister then – the French delegation asked for a five-year delay in the RDE implementation. That was after you became Minister. The French position in comitology has been completely different to what you are saying in public, and that is one of the main reasons (...) we are having in Europe, so can you please explain that again?

Chair. – Mr Gerbrandy, please, everybody needs to [...]
It is completely untrue because the Volkswagen scandal had not yet broken in 2014. If you recall, the scandal broke in September 2015. Perhaps the Commission should review which kinds of decision are made at ministerial level, when they are of considerable political importance, and which should stay within the technical committees. What is more, it was just by discovering, in the wake of the Volkswagen scandal, that these issues were tackled in the technical committees ... No, but this really is very important ...

Chair. – I agree that it is important, Ms Royal, but others must also have the chance to ask questions.

Michel Dantin (PPE). – In the answers to the written questions, which you sent yesterday evening, you repeatedly stress that Article 5, on defeat devices, is not sufficiently clear, not least as regards exemption conditions. You also said that the Commission would have done well to adopt implementing acts, with a view to clarifying the conditions for granting exemptions.

Has the French Government raised this ambiguity issue with the Commission? If it has, when? If it has not, why not? If it has, what was the Commission’s response? Lastly, what suggestions is France now making for the Commission to clarify the legislation?

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – To answer your question, we are currently in talks with Germany about making a joint proposal. Something clearly has to change. As soon as we have come to an agreement with Germany, we will send a joint letter to the Commission to get things moving.

Michel Dantin (PPE). – What is the substance of the positions that you are attempting to sell to Germany?

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – They are about Article 5.

Michel Dantin (PPE). – Can you be more specific?

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – It is what I outlined a moment ago: inspection and defeat devices.

Michel Dantin (PPE). – You set up a committee of inquiry in France, which you have told us about and through which we have been able to access to a number of different documents.

On the basis of your work in the committee, do you think that exceeding the emissions limits and disparities between laboratory and real driving test results are problems affecting just diesel engines, or might they extend to petrol engines as well? If so, having had ‘dieselgate’, are we now on the verge of a ‘petrolgate’?

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – We have only tested diesel engines. I am therefore unable to say whether the problems affect petrol engines as well.
Michel Dantin (PPE). – Would you say that the deadline for manufacturers to adhere to industry rules, particularly the Euro 5 and Euro 6 emissions standards, is sufficient to enable them to implement the changes required?

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – Yes, I think it is. I also think it would be a serious mistake to extend the deadlines any further.

Christine Revault D’Allonnes Bonnefoy (S&D). – Thank you very much for coming this morning, Ms Royal. I read all your answers to the questionnaire very carefully. I am one of the lucky ones: I speak and understand French, so it was easy to skim all the information. I should like to highlight a number of points to which you gave very clear and frank answers, particularly on compliance factors. Mr Gerbrandy mentioned this previously: it is a shame that we are not currently using that compliance factor. Thank you for indicating that you were in favour of a compliance factor.

With regard to the role of the TCMV, one of our observations was that specialised technicians rather than political figures were responsible for making decisions. That is also an important point.

My question concerns your final answer, No 12, on the tests under real driving conditions conducted by your committee, which you say vehicles must now pass if they are to be granted type approval in France. Given that we are still legally bound to the use of the New European Driving Cycle (NEDC), involving laboratory rather than real driving tests, on what legal basis could type approval be withdrawn from or refused to a vehicle that does not adhere to emissions limits in real driving conditions? That is my first question.

My second is as follows: your answers refer to the ongoing proceedings against Volkswagen and Renault. Could you tell us more about them? Your answer suggests that type approval could be withdrawn: how might that be done, or else what sanctions could be imposed on the manufacturers, given that Regulation (EC) No 715/2007 stipulates that the application of sanctions where a manufacturer has not adhered to the regulation falls strictly to the national authorities, and not to the courts?

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – On the first point, the regulation is perfectly clear as regards bringing vehicles to market. Article 4 lays down that vehicles must be compliant under real driving conditions. The legal basis is therefore perfectly clear.

As for your second question, we intend to ask investigators from the DGCCRF and the judiciary whether they can provide us with information that will help us to determine whether we should begin withdrawing products from the market.

Even so, I should mention that it has not been easy for manufacturers, particularly in France, who are suddenly seeing government officials. Governments tend to instinctively protect their own manufacturers, point the finger at foreign manufacturers and take advantage of scandals such as that surrounding Volkswagen, in an attempt to gain ground on your competitors.

That is not what I have done: I have investigated all brands, which meant investigating French ones in exactly the same way as foreign ones. No one, no other European country has done that.
I now have to accept the consequences of and responsibility for that. That means that, effectively, I now have either to withdraw type approval, or to ask manufacturers what they plan to do to ensure that they adhere to industry standards. That is what I what I have done, and I have to say that the manufacturers have played along. Not one manufacturer has refused to come before the committee, for example. It is not easy for a manufacturer, I can tell you. This is the first time it has happened to them. It has been an entirely new experience for manufacturers to come before a committee comprising representatives from NGOs, members of parliament and experts, who have bombarded them with questions about anything you can possibly imagine. Those sitting on the committee are certainly highly specialised when it comes to engines.

At some point, we either have to tackle the problem head on or we can let ourselves sink into pessimistic discourse on pollution, death rates, etc., instead of taking any real action. That is not how I do things. It has not been easy to take this approach, even as part of the French Government. I have shouldered my responsibilities. We will see this process through to the end and I hope that French manufacturers gain something from it too. At some point, we need to turn environmental performance into a means of attracting consumers. What is more, consumers are playing along. They would rather not drive high-polluting vehicles if we give them the information and financial assistance they need to promote clean transport.

Christine Revault D’Allonnes Bonnefoy (S&D). – I have just one more quick question, if I may. You are in favour of a European agency responsible for overseeing the industry and imposing sanctions, in place of the system currently envisaged. Would you agree that an independent agency would be much more effective than this system, which is extremely complicated to implement and in which decisions are made by the national authorities, followed by the Commission?

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – Yes, but we need to get going! Why has all this happened? It is because we do not have a single European authority. The current European authorities in this area have not done their job. The Volkswagen scandal is proof of that.

Some countries are taking action. My wish is for a European body – not more European red tape – to certify and monitor national bodies, standardise good practices and save us money.

I will say it again: the measures I have implemented cost EUR 3 million. If we pool our funds, expertise and technology, we will be stronger. United like that, there will be no more unfair competition between the EU Member States.

Hans-Olaf Henkel (ECR). – Ms Royal, almost no one in this group has criticised Volkswagen as heavily as I have. And I am no great friend of the German Government, but I can tell you one thing: the German Government has criticised Volkswagen most heavily. The latest report by the NGO Transport & Environment asserts that Volkswagen manufactures the cleanest diesel vehicles and that exhaust gas emissions in real emissions tests at Nissan-Renault were 14 times higher than at Volkswagen.

I therefore ask: what work are you doing towards or against making French cars as clean as Volkswagen vehicles?

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – I am sorry to say it, but what you have just done is exactly what I told myself I would not do. I have made sure not to pit certain car brands against others. What is more, in my introduction, I did not give you the test results for the different
brands; that is up to the committee. I mentioned the Volkswagen scandal because it is something that happened. You have access to the test results, just visit the website. You will never hear me accuse one brand over another, however. What you have just done, therefore, is something I have not allowed myself to do.

For that matter, given that Renault is a French manufacturer, all I did was to ask it about its decisions to ensure that its standards corresponded to what was expected of the company. I mentioned the Volkswagen scandal because it is something that happened. You have access to the test results, just visit the website. You will never hear me accuse one brand over another, however. What you have just done, therefore, is something I have not allowed myself to do.

Hans-Olaf Henkel (ECR). – Thank you. That is reassuring.

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – What is more, as I mentioned a moment ago, we have launched legal proceedings. Show me another country in which the government has brought a case against a national brand. There are none. It is not worth giving Renault a pasting.

Hans-Olaf Henkel (ECR). – Good. I am pleased because I thought I had heard something different before. According to the Financial Times from 22 August 2016, 17 members of the French committee of inquiry claimed that the important results of the inquiry would be kept secret from the public.

Can you elaborate on that? By covering up important information are you perhaps trying to protect your own automobile industry?

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – For one thing, I have just given you evidence to the contrary and, for another, the claims in the Financial Times are false. Incidentally, I have had a clarification published in the same newspaper. I invited the Financial Times journalist to attend the committee and she did. She then wrote a new article. I therefore think you should be referring to both articles, rather than simply the first, in which they tried to look clever by questioning its validity of a committee that is one of a kind. The Financial Times journalist attended the committee and wrote another article saying that our approach was really transparent.

Hans-Olaf Henkel (ECR). – Is it not the case, however, that the Inquiry Committee report was produced by the state and that important elements of the report were marked confidential? And if that is the case, are you not hiding something from consumers and the competition?

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – There is absolutely no truth in that. Do you really think, had I allowed myself to do the opposite, that is to say bury a report, when I am the only one to have set up a transparent, independent committee open to the press, that the NGOs and members of parliament attending the hearing ... The press are present during Committee hearings, by the way, so it would be impossible to hide anything.

As you can see for yourself, the published report includes all emission standards and instances of exceeding emissions limits, including by French manufacturers.

Therefore, the drip, drip, drip of suggestions that the French Government was motivated by seeking to protect French manufacturers is outrageous. If anything, these accusations will discourage other countries from following France’s lead when it comes to transparency. We are the only country to carry out checks on French manufacturers, the only country to have
published information, the only country to have earmarked EUR 3 million for the work and the only country to have launched legal proceedings.

Yet we are still being accused of ulterior motives. Personally, I think these accusations must be coming from foreign competitors trying to discredit French manufacturers, seemingly forgetting that they are under investigation too. We really are living in a topsy-turvy world! I will not let that happen. I will not let that happen, and that is why I expect all of you at the European Parliament to be more rigorous than ever before, and why I now wish to insist that all decisions taken by the Commission are made at ministerial level to ensure transparency, and that brands are not pitted against each other, as you have begun to do today, in our capacity as the perfect example of exemplary transparency and monitoring.

Dominique Riquet (ALDE). – Thank you for coming, Ms Royal. I should like to make an observation on the issue raised by Mr Gerbrandy before asking my question.

The TCMV minutes clearly show that the remarks about the instructions received by the French Government were made on 28 October, when you were in charge and well after the Volkswagen scandal emerged.

It would thus appear, either that you were unaware of those instructions and had failed in your government’s oversight duties, or that you were aware of the instructions, which is of course even more embarrassing.

With that in mind, could you please explain why the French Parliament’s fact-finding mission complained of being unable to access TCMV documents, when you clearly had access to the documents and the ability to pass them on, which certainly is permitted? What prevented you from passing on that information to the national representation?

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – I was unaware of that criticism from the committee of inquiry.

Dominique Riquet (ALDE). – OK, thank you for answering. That means you do not know what your civil servants are saying in the technical committees, where they represent you, or what requests they are making.

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – That is not what I said.

I am fully aware of what my technical representatives say, which is clear from the fact that I have disowned them. You cannot blame me both for disowning my technical representatives and for failing to shoulder my responsibilities.

It is precisely because I became aware that my technical representatives were championing positions without having received my instructions – perhaps from other ministers, but not from me, at any rate – that I intervened to say that I did not agree with the TCMV’s decisions. I have disowned my civil servants, which does its job perfectly, moreover.

However, at some point, political responsibility is necessary. Some prefer to say nothing, do nothing, see nothing, sweep it all under the rug, turn a blind eye. That is not the case with me. That actually raises a number of issues and perfectly legitimate questions, but I would prefer to deal with these controversies, if it means I can be clear about the decisions I make on air pollution targets.
As for your second point on the alleged refusal to pass on documents, I do not see how it is possible to refuse to provide documents when they are all publicly available.

**Dominique Riquet (ALDE).** – No, I am afraid that the TCMV minutes are not made public; they are sent to you. You have them and they are made available to the French representation via you.

It is all well and good to disown your civil servants to say you have no political responsibility, but you are responsible for your representatives.

**Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations.** – That is exactly why I issued instructions.

**Dominique Riquet (ALDE).** – You needed to issue them before, Ms Royal.

**Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations.** – I work for the present and the future.

**Dominique Riquet (ALDE).** – OK, but you would do well shoulder your past responsibilities too, because ...

**Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations.** – Shouldering my responsibilities is exactly what I have done. Not many have.

**Dominique Riquet (ALDE).** – You have just explained before the European Parliament – and I get your meaning – that we have not shouldered our responsibilities, that we have been slacking, etc.

**Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations.** – You are not wrong!

**Dominique Riquet (ALDE).** – You have some nerve, however, when you are shirking your administrative duties yourself. We will not stand for it.

I have another question for you. You said that you would ask car manufacturers – all those with a stake of some kind or manufacturing in France – to produce a plan detailing ‘what they planned to do’, to ensure that they adhered to industry standards, or rather to improve the emissions performance of their vehicles in accordance with your wishes, and with ours for that matter. Did you send the letter? If so, could you make a copy available to our committee of inquiry?

**Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations.** – Do you mean the letters we sent to the manufacturers? Yes, of course giving you those is no problem at all. You can see everything. Our policy is total transparency. There is no problem there.

As for the manufacturers, Renault withdrew some of its vehicles following the initial inspection. Can you think of many that have done the same? No you cannot. I am also keen to pay tribute to them. Of course, we need to be rigorous, and I am. We also need to show strong
leadership, and I do. Yet I also have a responsibility to highlight the efforts made by the manufacturers.

Before, it was very much an ‘out of sight, out of mind’ approach. Everyone turned a blind eye. You are criticising me for having suddenly opened my eyes and changed the rules of the game. Well, I for one am proud of having opened my eyes and changed the rules of the game!

Dominique Riquet (ALDE). – I am not criticising you for having opened your eyes. I am criticising you for having opened them too late.

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – Better late than never. You still have not opened them. Perhaps you will open them for the next hearing!

I also need to make sure that I show respect for industry operators by ensuring that they are subject to realistic deadlines and that their efforts are recognised; Renault is also investing in electric vehicles, which is important to note. I therefore need to find a balance between rigorous application of the rules and favourable consideration for their willingness to cooperate.

Dominique Riquet (ALDE). – That was exactly Parliament’s position with regard to the objection you mentioned earlier. Thank you for explaining why we had adopted that position.

Neoklis Sylikiotis (GUE/NGL). – Mr President, we would like to thank Ms Royal for her presentation. Of course, Ms Royal, you have said enough about the action you took after the scandal erupted in September 2015. However, a question is hovering over our committee, too. The governments had received information by 2013, after the studies carried out in special laboratories of the Joint Research Centre confirmed that these suspension systems could exist. There is, then, a question which arises: Why did you carry out investigations only after the Volkswagen scandal erupted, immediately after 2015?

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – I have to admit that I never would have imagined that such high-profile brands would be using defeat devices. No, I never imagined that.

Indeed, it took the EPA’s revelations to bring the scandal to light. Our reaction was immediate, however, as I demonstrated a moment ago. It is, of course, totally unacceptable. The manufacturers must have known that. It is totally unacceptable, you are absolutely right! That is why we cannot show any weakness with demanding that the manufacturers offer their customers compensation, which will happen.

What I want is for something positive to come out of this crisis and for the manufacturers to understand that they now need to invest in clean vehicles. Let us take advantage of this crisis to speed up the energy transition in the transport sector, and particularly in the electric and hydrogen transport sectors. France has also taken steps to promote those new fuels. It is therefore essential that Europe stay at the forefront of green transport technology.

At COP21, I suggested that all European manufacturers get together and set up a joint laboratory, with a view to developing a cheap electric vehicle to bring to market at less than EUR 5 000. There is a vast global market for that kind of product.
Paradoxically, we already have clean transport technology in Europe: I am thinking of Heuliez, which invented the electric engine 20 years ago. However, we are going to find ourselves overtaken by China and India because there is a global market for small, light and inexpensive electric vehicles.

Why is Europe waiting? Why is it not building on the Paris Agreement by pooling all its industrial strength to really revolutionise the transport sector? Why is that not happening in other sectors? Earlier, I mentioned cable transport, which represents a real revolution in the sector: no site coverage, zero pollution, zero accidents, zero traffic jams!

European cities should work together to promote these new modes of transport. That is how we can take positive action to overcome the crisis.

1-073-0000
Neoklis Sylikiotis (GUE/NGL). – Ms Royal, you have not answered the obvious question. The governments had been aware from 2013 that tampering was possible. You say that you had taken all measures. However, that happened after the scandal erupted, and the French Government holds 20% of the shares in Renault. In January 2016, Renault withdrew 15 000 vehicles to check how they met emissions standards.

The question is, therefore, whether you should have taken account of all this, not after the scandal erupted, when you took measures, but before, when you were informed by the Joint Research Centre that tampering was possible and after the International Council on Clean Transportation stated that, according to its findings, it appeared that this problem also involved other carmakers, not only Volkswagen.

1-074-0000
Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – No, Mr Sylikiotis, governments were not aware that defeat devices existed. I told you that a moment ago. No one could have imagined that companies as large as Volkswagen ...

1-075-0000
Neoklis Sylikiotis (GUE/NGL). – The Commission’s representative told us here that the Commission informed national governments in workshops.

1-076-0000
Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – That is not the case, Mr Sylikiotis, otherwise everyone would be in prison right now.

Governments were not aware of any defeat devices. The German Government did not know that Volkswagen was using defeat devices. You have never heard me making any accusations about the German Government’s intentions.

As for Renault, it has not been using defeat devices. No evidence of such devices has been found, at any rate. We can no longer make systematic attempts to discredit political figures, drag manufacturers’ names through the mud, and allow people to believe that they are all crooks and fraudsters!

From the very moment the scandal broke, we tackled the problem head on. The issue has been resolved, as I have just explained. At some point, political figures, whatever their political leanings, need to promote action and make use of their decision-making powers. We are taking steps to straighten out dishonest and shady practices. You cannot say that all governments are fraudsters and that we are intentionally trying to hide things. No, we will not stand for that sort of thing being said. Otherwise, we would be getting into bed with extremism, which cannot be tolerated. It unacceptable!
What we did know – and here, our reactions certainly were too sluggish – was that there was a disparity between the laboratory and real driving emissions recorded. We knew there was a disparity. I think motorists knew it too. That is not fraud, however; it is what is discretely known as optimisation.

Now we need to stop optimising and actually apply the standards. I think we should be glad things are tough now and take it as an opportunity to move towards green transport.

Karima Delli (Verts/ALE). – Good morning, Ms Royal, and welcome to our Committee. Thank you for freeing up an hour of your time to attend.

I listened closely to your comments on the decision of 28 October 2015, adopted in comitology. You consider the decision absolutely outrageous, particularly when it comes to the compliance factor.

The Mayor of Paris, Anne Hidalgo, together with a great many mayors of big cities, took up our suggestion and challenged the decision before the EU Court of Justice.

You have the power, and you had the power in October 2015, to bring the matter before the Court of Justice and say ‘we do not agree with this’. So why did you not do that? What did you not appeal to the Court of Justice and challenge the compliance factor?

I am pleased that appeals have been lodged. I am a member of the government, however. My job is to make institutions work well. I ensured that the matter went back to ministerial level. Following the decision, it was passed on to Parliament. Frankly, I thought that Parliament would vote the other way. I will say it again: we were not far wrong.

My job now is to make sure the regulations are amended. The good thing is that justice is wholly a matter for trialogue. Parliament will therefore have an important role to play. Parliament, the Commission and the Council: together, we will have an extremely important role. What I want is for us to come out of this scandal better off than before and, in the wake of this crisis, for Europe to be at the forefront of the energy transition and environmentally friendly transport.

Let me tell you something. After all that has happened in the US, with the election and the rise of climate change denial, all eyes are now on Europe. We must seize this tremendous opportunity to reassert ourselves as leaders on the climate issue.

Karima Delli (Verts/ALE). – We are all aware of that Ms Royal, you are right. Let us move on.

I read your committee’s findings closely and I have two key questions.

First, everyone is aware of the disparities. You mentioned them in the committee conclusions, I have it here: ‘It was not possible to gain access to all the software installed, however, so no software analyses were carried out. The committee is therefore unable to draw any definitive
conclusions as to the presence or absence of defeat devices in the vehicles tested’. How are you able to conclude, in your answer to Question 3, that the Renault vehicles tested do not contain defeat devices?

Did you request the relevant source codes? What did you do with them?

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – Your question is testament to the committee’s transparency. We could have decided not to mention that and instead just said ‘there you are, we have done the tests, everything is fine, etc.’, but we did not! The committee was so rigorous that it went as far as to say ‘in certain areas, we were unable to test absolutely everything’. That is why I said a moment ago that IFP-EN will be carrying out a second wave of tests to examine the software.

At the same time, we have to be fair: if I cannot detect a defeat device, I am not going to say there were defeat devices. I do things properly. There are things that we can test; I am sorry it was so little. Even so, we were able to detect that vehicles were releasing 15 times more than their declared emissions. Telling the manufacturers took some guts! As I explained earlier, moreover, if the engines have merely been optimised and no defeat devices have been installed, I cannot tell the manufacturers off and say ‘you have a defeat device’ just for fun.

On the contrary, when we realised that we were unable to carry out all the necessary tests, we told them as much. We said: ‘we need to keep investigating this’. The tests are underway and we will be publishing the first sets of results in December.

Karima Delli (Verts/ALE). – We will be able to find out more about software in December, then.

One final question, Ms Royal. We now know – my colleagues mentioned this – that Renault vehicles release 11 times more NOx than the legal limits and exceed the CO2 limits by more than 48%. With regard to vehicle recall, even the ATE has said that France is the country with the highest number of dirty vehicles on its roads. You have mentioned public health, consumer rights and the climate. Therefore, my question to you is: what are you doing about vehicle recall, Ms Royal?

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – First of all, you are a French Member, so let us not give France a hard time.

Karima Delli (Verts/ALE). – This is a matter of public health, what does it matter whether we are talking about France or not?

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – I am free to respond. Let us not give France a hard time, not least because, as I have already demonstrated, we have led the way with regard to emissions tests, including on our own vehicles. As I said a moment ago, there is no need to bash any French brands.

Admittedly, we have shown that the brand in question is exceeding the limits, but so are others. I am not going to follow your lead and mention other brands whose vehicles are exceeding emissions limits – not least those outside France – just for fun. Let us stop pointing the finger at individual brands, particularly French ones: we are already busy checking them.
My approach was to ask all the brands that were exceeding the limits to draw up a written plan for bringing themselves back in line with the standards. They must bring themselves back in line with the standards.

You say that France has the largest number of high-polluting vehicles on its roads. Well, I have already explained France’s historical relationship with diesel.

Chair – No, I am afraid we have the vote at 12.00 and we have questions from two more people.

Eleonora Evi (EFDD). – Madam Minister, I would like to ask a question about your investigations. We are now all aware of the fact that many cars are capable of remaining below the 80 mg per km limit, and that some are more than capable of remaining below 40, 50 or 60 mg per km thanks to technologies such as EGR, which we have discovered work very well. As a means to tackle air pollution, you, or at least your report, propose the allocation of funding to incentivise the purchase of vehicles which adhere to the compliance factor of 1.5, which we know to equate to 120 mg per km. Would you not say that in purchasing this kind of vehicle, consumers are failing to support the best performers already available on the market, which may represent a barrier to the effectiveness of policies to tackle air pollution?

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – Thank you for your question. I think you must be referring to general encouragement measures. We certainly need financial incentives to encourage clean transport. That is what I said earlier when I mentioned creating a financial incentive for consumers, the largest in Europe. No other European country has introduced such large financial incentives for electric vehicles.

That is true for financing the clean transport industry. We are launching a new generation of photovoltaic charging stations for electric vehicles. We are funding, or rather subsidising, photovoltaic charging stations for electric vehicles.

Eleonora Evi (EFDD). – I was not referring to electric vehicles. We are in agreement on funding and incentives for electric vehicles, but I notice that financial incentives are also available for cars which adhere to the compliance factor of 1.5. Would it not be better to promote the best-performing vehicles, that is to say, those which already release less than 40 or 50 mg per km, rather than just electric cars?

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – On the whole, it is actually up to national governments to adjust aid spending and establish green taxation. The ideal would be to reach a point where all our vehicles run on clean fuels, however. That is the aim.

At some point, we will need to set this objective collectively at European level, and I think that is the time when European manufacturers will come into their own, because the global market is now vast.

Look at China. China is coming on in leaps and bounds; people are no longer willing to put up with pollution in Chinese cities, so China will be introducing the electric vehicles of the future, even though France, excuse me I mean France and Europe, have the potential to do so.
Eleonora Evi (EFDD). – One more brief question: your investigations would appear to show that some Volvo models did not comply with the limits even when subject to type approval tests in the lab. My question is therefore as follows: given that you yourself are unable to withdraw type approval, since that competence falls solely and exclusively to the granting authority (in the case of this Volvo model, to the type approval authorities of Spain and the Netherlands), have you taken any steps to solve the problem?

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – Just as I said earlier, that is right. We tested 24 brands: Alfa Romeo, Audi, BMW, Citroën, Dacia, Fiat, Ford, Honda, Hyundai, Jeep, Kia, Mazda, Mercedes, Mitsubishi, Nissan, Opel, Peugeot, Porsche, Renault, Seat, Skoda, Toyota, Volvo and Volkswagen.

Chair. – Perhaps you could give us the list in writing.

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – I said that because we need to be fair, so all the brands need to be mentioned. You are right, however: that one exceeds the limits.

When the second wave of test results is published in December, I plan to forward them to the vehicle type approval authorities in the Member States where vehicles have exceeded emissions limits to keep them up-to-date. I want us to be able to work together to bring vehicles back in line with the standards and carry out inspections.

Mario Borghezio (ENF). – Madam Minister, your response to Mr Henkel’s question was very vague. You told us that this journalist had acknowledged the additional findings, but I would like to remind you of the information that appeared in France Presse and Europe 1. I will read it in French to avoid any misunderstandings. The Committee members who challenged your speech on this point stressed in particular that:

‘during the tests on the Renault Capur engine anti-pollution system, it seemed to be purging, as if the vehicle had detected that a test was being conducted: “We cannot be sure whether the software installed did detect that a test was being carried out per se, but Renault seems to have optimised its nitrogen oxide filter for those very specific conditions”’.

– You have not told us anything about that.

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – Yet I have, because we initiated proceedings! These accusations really are a bit much!

I thought you had invited me here to congratulate me. I see now that it is the opposite. Thankfully, I am here to explain things to you today!

The DGCCRF has initiated proceedings. Thus, we have followed up on that observation. Are you happy now?

Mario Borghezio (ENF). – Why didn’t you investigate that? Why didn’t the Committee examine these issues as part of its work? Why are you telling us that these measures were taken as a government? Why did the Committee of Inquiry skim over these issues?
Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – We have done it though! You cannot just rewrite history! The issue was raised because I implemented a test protocol, which cost EUR 3 million, and set up a committee of inquiry.

It was raised by the committee, including and by my representatives, and it is precisely because of that work that the criminal proceedings were launched. I cannot play the role of both auditor and the judge sentencing people. Everyone has their place.

The committee of inquiry highlights a number of irregularities. The irregularities are then verified. Rather than hiding them, sweeping them under the rug, the case is submitted to the criminal judge for the sake of transparency. The criminal judge has sufficient expertise to determine where the responsibility lies. Are the mistakes intentional or not? The judge then applies the Criminal Code to the case. Does it constitute fraud? Are the manufacturers unaware of what has been happening? Why and how are they unaware? Were instructions issued, or is it a simple case of optimisation? How serious is the infringement and how serious a penalty should be applied? All that comes under the Criminal Code. The committee is not a court.

Mario Borghezio (ENF). – A committee of inquiry, in global legal terminology, is a committee of inquiry which has powers of judicial authority. You clearly did not use them on this occasion.

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – No, Mr Borghezio, it is not a committee of inquiry, it is a transparent committee. It is a committee set up entirely for that purpose, which no one else has put in place. This really is unbelievable! You are surely not going to criticise France, which has exposed a number of issues, for having set up ...

Mario Borghezio (ENF). – The term ‘transparent committee’ does not exist in legal terminology anywhere in the world, whether or not it concerns a committee of inquiry, Minister.

Ségolène Royal, Minister of the Environment, Energy and the Sea, responsible for international climate relations. – Yes, it does exist. The proof is that I have created it. What is more, if you think that it is better to do nothing, to not set up committees and carry out checks, and to carry on as before, turning a blind eye to scandals, then allow me to say that we do not share the same understanding of political action.

Chair. – Thank you very much, it is now time for the vote. Thank you for coming, Ms Royal. Thank you for your answers. You will also receive written questions.

The deadline for that – our deadline, not yours – is 2 December for your written questions, because there will be a lot of written questions since we only had an hour.

(The meeting closed at 12.00)